

INTRODUCED: 11/7/2022

REFERRED TO: Metropolitan and Economic Development Committee

SPONSOR: Councillor Evans

DIGEST: amends Chapter 231 of the Code regarding the Department of Metropolitan Development to add Article VIII to establish an affordable housing commission

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SOURCE:

Initiated by: Councillor Ethan Evans

Drafted by: Councillor Ethan Evans

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL:



Date: November 3, 2022

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CITY-COUNTY GENERAL ORDINANCE NO. , 2022

A PROPOSAL FOR A GENERAL ORDINANCE to amend Chapter 231 of the Code regarding the Department of Metropolitan Development.

WHEREAS, there are numerous and significant barriers to accessing affordable housing currently in Marion County; and

WHEREAS, in February of 2020, the Department of Metropolitan Development established an Affordable Housing Pipeline Committee for developers seeking aid in building affordable housing; and

WHEREAS, there has not been a similar committee established for renters, tenants, and future owners of said affordable housing, and citizens who would be impacted by these decisions; and

WHEREAS, eligible individuals and families in Marion County are currently waitlisted for vouchers, dealing with eviction rates over 14%, or are contending with inattentive or inaccessible landlords; and

WHEREAS, the city of Indianapolis has recently funded tens of millions of dollars in affordable housing programming through American Rescue Plan Act funding, through Indy AMP and other programs, and,

WHEREAS, the Department of Metropolitan Development and the Fair Housing Center of Central Indiana have partnered to conduct investigation of tenant screening requirements, equity theft, mortgage lending, and other COVID impacted housing barriers to determine violations of fair housing laws, and DMD supported this partnership with \$300,000 in Community Development Block Grant funds from the U.S. Department of Housing and Urban Development, and

WHEREAS, Utilizing American Rescue Plan Act funding, Department of Metropolitan Development will use dollars to support four affordable housing development to prevent displacement and expand affordability in Marion County. DMD's \$3 million in ARPA funding will create 454 total units, with 21 dedicated to substance abuse support and 160 reserved for affordable senior living; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 231 of the "Revised Code of the Consolidated City and County" hereby is amended by the addition of Article VIII, "Indianapolis Community Affordable Housing Commission," to read as follows:

**ARTICLE VIII. – INDIANAPOLIS COMMUNITY AFFORDABLE HOUSING COMMISSION**

**Sec. 231-801. - Indianapolis Community Affordable Housing Commission.**

The Indianapolis community affordable housing commission is hereby established to provide advice to the City-County Council on matters related to housing equity, affordability, and access through the evaluation of city-wide affordable housing policy initiatives. The commission's work shall be done in coordination with the city-wide initiatives such as, by way of example and not limitation, the Anti-Displacement Study.

**Sec. 231-802. - Commission membership.**

(a) The commission shall be composed of fifteen (15) voting members who are chosen as follows:

- (1) The administrator of the division of community economic development (or their designee),
- (2) The policy director for homelessness from the office of public health and safety (OPHS) (or their designee),
- (3) A member of the Indianapolis Continuum of Care, appointed by the mayor,
- (4) A business owner or employee of an organization that promotes economic development in the city, to be appointed by the Mayor;
- (5) A member with professional experience in housing development, to be appointed by the council;
- (6) Two (2) members with professional experience serving Marion County community organizations involved in homelessness or housing insecurity issues, including at least one (1) individual who has lived experience in homelessness, to be appointed by the city-county council;
- (7) Five (5) Marion County residents who are homeowners, renters, or tenants, who have lived in affordable or public housing, including at least 2 individuals under the age of 29, and at least 1 individual over the age of 50, to be appointed by the city-county council;
- (8) Two (2) members of the community, one (1) to be appointed by the mayor, and one (1) to be appointed by the city-county council, from a nonprofit organization working in housing or on housing issues; and

(9) A member of an organization representing tenants' rights, appointed by the mayor.

(b) All appointed members shall serve at the pleasure of the appointing authority.

**Sec. 231-803. – Commission officers, quorum, meetings.**

(a) The committee shall vote in its first meeting to appoint a chair, co-chair, and a recording secretary. A recording secretary who shall keep the official minutes of the meetings, and the chair or co-chair shall reserve meeting room space, oversee all communications, including but not limited to meeting notices.

(b) Seven (7) members of the commission shall constitute a quorum.

(c) The commission shall meet at least quarterly, and as often as necessary to perform its duties.

**Sec. 231-804. – Duties of the commission.**

The commission shall have the following duties:

(a) Identify community needs and goals with regards to affordable housing.

(b) Receive information from city-county departments with existing housing programs and Health and Hospital Corporation on the impact on affordable housing of each agency's work.

(c) Conduct quarterly meetings, not to exceed four (4) and invite city-county departments, Indianapolis Housing Agency, and Health and Hospital Corporation and each shall present on one (1) topic related to affordable housing needs addressed in their respective agency. Each entity shall attend one (1) meeting per department so as not to duplicate efforts or add unnecessary duties. Each quarterly meeting shall cover one (1) topic related to affordable housing needs.

(d) Collect data from existing department of metropolitan development, the office of public health and safety, Indianapolis Housing Agency, and Health and Hospital Corporation programs to assess existing affordable housing policies and recommend new policies that address affordability and sustainability in housing across the city and monitor progress key performance indicators in reports in affordable housing programs.

(e) No later than December 1, 2023, offer recommendations to the metropolitan & economic development committee and the city-county council to inform policy and budget decision making.

(f) Set rules for its governance and establish its procedures for conducting public meetings as permitted or required by law.

(g) No later than December 1, 2023, a member or members appointed by the commission shall write and submit a report of its activities and recommendations to the city-county council.

The commission shall carry out its duties in this subsection in accordance with the purposes set forth in Section 231-801.

**Sec. 231-805. – Sunset.**

This article shall expire on December 31, 2023.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

The foregoing was passed by the City-County Council this \_\_\_\_ day of \_\_\_\_\_, 2022, at \_\_\_\_ p.m.

ATTEST:

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Vop Osili  
President, City-County Council

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SaRita Hughes  
Clerk, City-County Council

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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SaRita Hughes  
Clerk, City-County Council

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Joseph H. Hogsett, Mayor